

# **EXHIBIT B**

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF MASSACHUSETTS

3 \*\*\*\*\*

4 JONATHAN GREEN,

5 Plaintiff

6 vs.

No. 09-11705-NG

7 CITY OF BOSTON; EDWARD DAVIS,  
8 in his capacity as Chief of the  
Boston Police Dept.;

9 TIMOTHY MCCARTHY, individually  
and in his official capacity as an  
Employee, Agent, and/or Officer  
10 of the Boston Police Department,  
Defendants

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12  
13 VOLUME: II

14 PAGES: 126-131

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17 SCHEDULED DEPOSITION of JONATHAN GREEN

18 Tuesday, March 20, 2012

19 10:00 a.m.

20 City of Boston Law Department

21 City Hall

22 Boston, Massachusetts

23 Megan M. Castro, Court Reporter

24

1 APPEARANCES:

2 CITY OF BOSTON LAW DEPARTMENT

3 Michelle K. Hinkley, Esquire

4 Lisa S. Maki, Esquire

5 City Hall

6 Room 615

7 Boston, Massachusetts 02201

8 617-635-4042

9 on behalf of the Defendants

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## I N D E X

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(The original exhibit was retained by the court reporter and attached to the original transcript.)

## P R O C E E D I N G S

- - -

MS. HINKLEY: We are here today to resume the suspended deposition of the plaintiff, Jonathan Green. The original deposition took place on August 16, 2011. That deposition was resumed because medical records were lacking.

The plaintiff was sent a notice of deposition for today, March 20th, at 10 a.m., which will be marked as Exhibit 5. It is now 11 o'clock, and the plaintiff has failed to appear.

I did call plaintiff's attorney, Gordon Spencer, at 10:30 asking him whether or not he intended to appear today with his client. I reached Attorney Spencer's voicemail notifying him that I would go on the record at 11 o'clock making a record of the plaintiff's failure to appear.

Additionally, the original deposition was suspended to accommodate Attorney Spencer's schedule. He had to be somewhere at around 2:30.

Thank you.

(Notice of Taking Deposition marked

1                   Exhibit 5 for identification.)

2                   (Whereupon, at 11:01 a.m., the deposition  
3                   was adjourned.)

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CERTIFICATE

Commonwealth of Massachusetts

Suffolk, ss.

I, Megan M. Castro, a Notary Public in  
and for the Commonwealth of Massachusetts, do  
hereby certify:

That JONATHAN GREEN, the witness whose  
deposition is hereinbefore set forth, did not  
appear today.

IN WITNESS WHEREOF, I have hereunto set  
my hand this 20th day of March, 2012.

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Megan M. Castro  
Shorthand Reporter

My Commission expires:

August 23, 2013